Hon'ble J.C.S. Rawat, J.

{Review/Correction Appl. No.773/2005}

Heard Sri Sandeep Tandon learned counsel for the appellant and learned A.G.A.

The review/correction application is allowed. The sentence of para No.4 of the judgment dated 4.8.2005 in C482 No.496/2005 i.e.

"The learned counsel for the applicant contented that the respondent No.2 obtained a will by forged means. … … .. … … … … … … … … … there is no prima-facie case against the applicant." shall be read as follows:-

> *"The learned counsel for the applicant contended that the respondent No.2 lodged an FIR against the applicant with the allegation that in regard to the disputed land, the applicant intentionally prepared a forged will of late Shri Girdhari, in his favour and the applicant also filed the above will in the court of Tehsildar. The learned counsel for the applicant further contended that the alleged will is a notarized will and the I.O. has wrongly come to the conclusion that the signature or thump impression of the deceased has been obtained by the applicant by coercive measure or without the knowledge of the deceased. The above conclusion of the I.O. is not based upon any evidence. The learned counsel for the applicant further contended that the above dispute is purely of civil nature and no prima facie case is made out against the applicant."*

The judgment dated 4.8.2005 passed in C482 No.496/2005 is modified/corrected accordingly.

(J. C. S. Rawat, J.)

Dated 01.09.2005
LSR